

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MICHAEL J. SCARINGE,

Petitioner,

-v-

9:19-CV-84
(DNH/ATB)

DARWIN LACLAIR, Superintendent,

Respondent.

APPEARANCES:

OF COUNSEL:

MICHAEL J. SCARINGE
Petitioner, Pro Se
c/o M. Graves
11 Valdepenas Lane
Clifton Park, NY 12065

HON. LETITIA JAMES
Attorney General for the State of New York
Attorney for Respondent
28 Liberty Street
New York, NY 10005

DENNIS A. RAMBAUD, ESQ.
Ass't Attorney General

DAVID N. HURD
United States District Judge

DECISION and ORDER

Petitioner Michael J. Scaringe brought this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On October 15, 2019, the Honorable Andrew T. Baxter, United States Magistrate Judge, advised by Report-Recommendation that the petition be denied and dismissed and that no certificate of appealability be issued. Petitioner filed timely

objections to the Report-Recommendation.¹

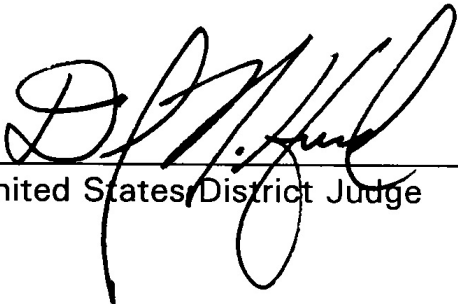
Based upon a de novo review of the Report-Recommendation to which petitioner objected, the Report-Recommendation is adopted in whole. See 28 U.S.C. § 636(b)(1); Rule 10, Rules Governing Section 2254 Cases.

Therefore, it is

ORDERED that

1. The petition for a writ of habeas corpus is DENIED and DISMISSED; and
2. No Certificate of Appealability shall be issued.

IT IS SO ORDERED.


United States District Judge

Dated: January 6, 2020
Utica, New York.

¹ It is a bit unclear whether plaintiff's submission is in fact his objection, or whether it indicates his intention to subsequently file an objection. Regardless, there have been no other submissions to date.